

Aug 04, 2023

SEAN F. McAVOY, CLERK

1 UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF WASHINGTON

3 UNITED STATES OF AMERICA,

No. 1:21-PO-08225-ACE-1

4 Plaintiff,

5 v.
ORDER GRANTING THE UNITED
STATES' UNOPPOSED MOTION TO
DISMISS WITH PREJUDICE

6 DARRIN S GUNDERSON,

7 ECF Nos. 25, 26, 27

Defendant.

8
9 Before the Court, pursuant to Federal Rule of Criminal Procedure 48(a), is
10 the United States' Motion to Dismiss (ECF No. 27). Assistant United States
11 Attorney Todd Swensen and Legal Intern Francis Sefton represented the United
12 States on this Motion.

13 On August 6, 2021, Defendant was charged by citation with a violation for
14 taking or possessing big game having a value of \$250.00 or more, and recklessly
15 allowing such wildlife to be wasted, in violation of 18 U.S.C. § 13 and R.C.W.
16 77.15.170(a), Violation Notice No. 9171489. ECF No. 1. The Government moves
17 to dismiss the Citation, with prejudice, based on Defendant's compliance with the
18 requirements of the Pretrial Diversion Agreement (ECF No. 22-1). ECF No. 2.

19 Because Defendant has complied with the requirements imposed under the
20 Pretrial Diversion Agreement in this matter, **IT IS ORDERED:**

ORDER - 1

1. The United States' Motion to Dismiss (**ECF No. 27**) is **GRANTED**.

2. Defendant's Motion to Expedite (**ECF No. 26**) is **DENIED AS**
MOOT.

3. Defendant's Motion to Dismiss (**ECF No. 25**) is **DENIED AS**
MOOT.

4. Violation No. 9171489 (taking or possessing big game having a value
of \$250.00 or more, and recklessly allowing such wildlife to be wasted, in
violation of 18 U.S.C. § 13 and R.C.W. 77.15.170(a)) is **DISMISSED WITH**
PREJUDICE.

5. All future hearings and deadlines are **STRICKEN**.

6. The District Court executive is directed to file this Order, provide
copies to counsel, and **CLOSE THE FILE**.

IT IS SO ORDERED.

DATED August 4, 2023.



A handwritten signature in blue ink that reads "Alexander C. Ekstrom".

ALEXANDER C. EKSTROM

UNITED STATES MAGISTRATE JUDGE